

**SUPREME COURT MINUTES
WEDNESDAY, JANUARY 27, 2010
SAN FRANCISCO, CALIFORNIA**

S178528 C059495 Third Appellate District **PEOPLE v. LEHMAN
(JOSHUA JAY)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 10, 2010.

S178709 G034189 Fourth Appellate District, Div. 3 **PEOPLE v. GALLAND
(ANTHONY ANDREW)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 11, 2010.

S178319 **ADAMS ON DISCIPLINE**

Recommended discipline imposed

The court orders that ROBERT EARL ADAMS, State Bar Number 109490, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. ROBERT EARL ADAMS must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on October 7, 2009; and
2. At the expiration of the period of probation, if ROBERT EARL ADAMS has complied with the terms of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

ROBERT EARL ADAMS must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2011 and 2012. If ROBERT EARL ADAMS fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S178321**POTRATZ ON DISCIPLINE**

Recommended discipline imposed

The court orders that DOUGLAS DEAN POTRATZ, State Bar Number 183742, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. DOUGLAS DEAN POTRATZ is suspended from the practice of law for the first 120 days of probation;
2. DOUGLAS DEAN POTRATZ must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on February 10, 2009; and
3. At the expiration of the period of probation, if DOUGLAS DEAN POTRATZ has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

DOUGLAS DEAN POTRATZ must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S178324**McNEAL ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that PATRICK DAYTON McNEAL, State Bar Number 62102, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

PATRICK DAYTON McNEAL must make restitution as recommended by the Hearing Department of the State Bar Court in its Decision filed on October 2, 2009. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

PATRICK DAYTON McNEAL must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S178326**RECTOR ON DISCIPLINE**

Recommended discipline imposed

The court orders that CHRISTOPHER ROMAN RECTOR, State Bar Number 212244, is suspended from the practice of law in California for 18 months, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following

conditions:

1. CHRISTOPHER ROMAN RECTOR is suspended from the practice of law for the first 90 days of probation;
2. CHRISTOPHER ROMAN RECTOR must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on October 26, 2009; and
3. At the expiration of the period of probation, if CHRISTOPHER ROMAN RECTOR has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

CHRISTOPHER ROMAN RECTOR must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order, or during the period of his suspension, whichever is longer and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

CHRISTOPHER ROMAN RECTOR must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2011, 2012, and 2013. If CHRISTOPHER ROMAN RECTOR fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S178327

LEVY ON DISCIPLINE

Recommended discipline imposed

The court orders that ANDREW LEVY, State Bar Number 153999, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. ANDREW LEVY is suspended from the practice of law for a minimum of two years, and he will remain suspended until the following requirement is satisfied:
 - i. ANDREW LEVY must provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. ANDREW LEVY must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on September 11, 2009, and modified by its order filed on October 8, 2009.
3. At the expiration of the period of probation, if ANDREW LEVY has complied with all conditions of probation, the three-year period of stayed suspension will be satisfied and that suspension will be terminated.

ANDREW LEVY must also take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

ANDREW LEVY must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2011, 2012, and 2013. If ANDREW LEVY fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S178331**HUMPHRIES ON
DISCIPLINE**

Recommended discipline imposed

The court orders that ERIN H. HUMPHRIES, State Bar Number 110669, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, subject to the following conditions:

1. ERIN H. HUMPHRIES is suspended from the practice of law for a minimum of 30 days, and she will remain suspended until the following requirements are satisfied:
 - i. The State Bar Court grants a motion to terminate her suspension pursuant to rule 205 of the Rules of Procedure of the State Bar;
 - ii. If ERIN H. HUMPHRIES remains suspended for two years or more as a result of not satisfying the preceding requirement, she must also provide proof to the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law before her suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii)); and
 - iii. If ERIN H. HUMPHRIES remains suspended for 90 days or more, she must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.
2. ERIN H. HUMPHRIES must comply with the conditions of probation, if any, imposed by the State Bar Court as a condition for terminating her suspension.

ERIN H. HUMPHRIES must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order, or during the period of her suspension, whichever is longer and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**SUPREME COURT MINUTES
WEDNESDAY, JANUARY 27, 2010
SAN FRANCISCO, CALIFORNIA**

The Supreme Court of California convened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on Wednesday, January 27, 2010, at 9:00 a.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan.

Officers present: Frederick K. Ohlrich, Clerk, and Gail Gray, Calendar Coordinator.

S164928 Martin A. Steiner, Plaintiff and Appellant,
 v.
 Paul Thexton, Defendant and Respondent;
 Siddiqui Family Partnership, Intervener and Appellant.

Cause called. Klaus J. Kolb argued for Appellants.
David L. Price argued for Respondent.

Mr. Kolb replied.
Cause submitted.

S159690 Stockton Citizens for Sensible Planning et al., Plaintiffs and Respondents,
 v.
 City of Stockton, Defendant and Respondent;
 A.G. Spanos Construction, Inc., et al., Real Parties in Interest and Appellants.

Cause called. Robert J. Stumpf, Jr., argued for Appellant Wal-Mart Stores, Inc.
Lawrence S. Bazel argued for Appellant A.G. Spanos Construction, Inc.
Susan Brandt-Hawley argued for Amicus Curiae Planning and Conservation League.
William D. Kopper argued for Respondents.

Mr. Stumpf replied.
Cause submitted.

S158898 The People, Plaintiff and Respondent,
 v.
 Henry Ivan Cogswell, Defendant and Appellant.

Cause called. Melissa Mandel, Office of the Attorney General, argued for Respondent.
Patricia Scott, Court-appointed Counsel, argued for Appellant.

Ms. Mandel replied.
Cause submitted.

S062562 The People, Respondent,
 v.
 Brandon Arnae Taylor, Appellant.

Cause called. Alison Pease, Office of the State Public Defender Appointed Counsel, argued for Appellant.
Matthew Mulford, Office of the Attorney General, argued for Respondent.

Ms. Pease replied.
Cause submitted.

Court adjourned.